



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/530,238	04/04/2005	Kumiko Ono	5259-000049/NP	1258
27572 7590 03/24/2010 HARNESS, DICKEY & PIERCE, P.L.C. P.O. BOX 828 BLOOMFIELD HILLS, MI 48303				
EXAMINER SCHWARTZ, DARREN B				
ART UNIT 2435		PAPER NUMBER		
MAIL DATE 03/24/2010		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/530,238

Applicant(s)

ONO ET AL

Examiner

DARREN SCHWARTZ

Art Unit

2435

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 14, 15 and 37-61 is/are pending in the application.
- 4a) Of the above claim(s) 1-4, 7-9, 11, 15, 37-58 and 61 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5, 6, 14, 59 and 60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claims 1-11, 14-15 and 37-61 are pending. Claims 1-4, 7-9, 11, 15, 37-58 and 61 are withdrawn. Applicant amends claims 5, 10 and 14.

Claims 5, 6, 10, 14, 59 and 60 are presented for examination.

Response to Arguments

Applicant's arguments with respect to claims 5, 6, 10, 14, 59 and 60 have been considered but are moot in view of the new grounds of rejection.

To the extent Applicant's may apply, as necessitated by the amendments to the claims, the Examiner introduces Riggins (U.S. Pat 6233341 B1), Corella (U.S. Pat 7340600 B1) and Heiden et al (U.S. Pat App Pub 2002/0056050 A1).

The fact that the Examiner may not have specifically responded to any particular arguments made by Applicant and Applicant's Representative, should not be construed as indicating Examiner's agreement therewith.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 5, 10, 14 and 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Riggins (U.S. Pat 6233341 B1), hereinafter referred to as Riggins, in view of Corella (U.S. Pat 7340600 B1), hereinafter referred to as Corella.

Re claims 5 and 14: Riggins teaches a server that establishes a session between first and second communication devices, comprising:

a session control unit that controls the session between the first and second communication devices (col 3, lines 57-59; col 5, lines 33-45; col7, lines 47-52).

a receiving unit that receives, from the first communication device ["client"], a request for registering an address information [Fig 4B, all elts; Fig 6, elts 605, 610, 615, 630 → "Yes"] of the first communication device and issuing a public key certificate of the first communication device [Fig 6, elts 635 & 640] (col 9, lines 42-47; col 12, lines 27-40; col 12, lines 51-59);

an issuing-and-validating unit that issues the public key certificate of the first communication device to the first communication device (Fig 6,elts 635 & 640; col 9, lines 58-64; col 12, lines 55-63), the public key certificate of the first communication device having a validity period (col 1, lines 59-63; col 10, lines 38-41; col 13, lines 14-18); and

a storing unit that stores the address information and the public key certificate (col 2, lines 41-43; col 7, lines 36-37).

However, Riggins does not explicitly disclose wherein a validity period of the address information is set to be identical to the validity period of the public key certificate of the first communication device.

Corella teaches a validity period of the address information is set to be identical to the validity period of the public key certificate of the first communication device (col 1, lines 58-65; col 2, lines 12-14; col 6, lines 19-24; col 6, lines 51-56; col 8, lines 20-34).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the teachings of Riggins with the teachings of Corella, for the purpose of securely maintaining valid certificates and disposing expired / invalid certificates; it is a common practice in the art to dispose credentials after a desired period of time and updating said credential.

Re claim 10: Riggins teaches a method for a server to control a session between first and second communication devices, comprising:

receiving, from the first communication device ["client"], a signal for requesting a registration of an address information [Fig 4B, all elts; Fig 6, elts 605, 610, 615, 630 → "Yes"] on the first communication device [Fig 6, elts 635 & 640] (col 9, lines 42-47; col 12, lines 27-40; col 12, lines 51-59);

determining whether or not the signal includes a request for issuing a public key certificate of the first communication device to the first communication device (Fig 6, elt 630; col 12, lines 51-58);

issuing the public key certificate when the signal is determined to include the request for issuing the public key certificate (Fig 6, elts 635 & 640; col 9, lines 58-64; col 12, lines 55-63), the public key certificate having a validity period (col 1, lines 59-63; col 10, lines 38-41; col 13, lines 14-18);

storing the address information and the public key certificate of the first communication device (col 2, lines 41-43; col 7, lines 36-37);

transmitting, to the first communication device, a signal that indicates a completion of registering the address information and includes the public key certificate (col 12, lines 54-62); and

controlling the session between the first and second devices (col 3, lines 57-59; col 5, lines 33-45; col 7, lines 47-52).

However, Riggins does not explicitly disclose wherein a validity period of the address information is set to be identical to the validity period of the public key certificate.

Corella teaches wherein a validity period of the address information is set to be identical to the validity period of the public key (col 1, lines 58-65; col 2, lines 12-14; col 6, lines 19-24; col 6, lines 51-56; col 8, lines 20-34).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the teachings of Riggins with the teachings of Corella, for the purpose of securely maintaining valid certificates and disposing expired / invalid certificates; it is a common practice in the art to dispose credentials after a desired period of time and updating said credential.

Re claim 60: The combination of Riggins and Corella teaches the signal transmitted at the transmitting further includes a digital signature of the server (Riggins: col 1, lines 43-53; col 9, lines 55-57; Fig 13, elts 1300 & 1320; col 16, lines 16-27).

2. Claims 6 and 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Riggins (U.S. Pat 6233341 B1), hereinafter referred to as Riggins, in view of Corella (U.S. Pat 7340600 B1), hereinafter referred to as Corella, in further view of Heiden et al (U.S. Pat App Pub 2002/0056050 A1), hereinafter referred to Heiden.

Re claim 6: The combination of Riggins and Corella teaches all the limitations of claim 5 as previously stated.

However, Heiden teaches the receiving unit receives, from the second communication device [Fig 1, elt 50], a request for validating the public key certificate issued to the first communication device (¶19: lines 31-39; ¶21: lines 6-14; ¶22, lines 1-2), and the issuing-and-validating unit validates the public key certificate and indicates a result of the validation to the second communication device (¶19: lines 31-39; ¶21: lines 6-14; ¶22, lines 1-2).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the teachings of Riggins and Corella with the teachings of Heiden, for the purpose of securely providing client certificates to their intended destination, e.g. web servers; having the certification authority securely transmit client credentials to a web server / recipient is a common practice to prevent man-in-the-middle attacks.

Re claim 59: The combination of Riggins and Corella teaches receiving unit receives, from the first communication device ["client"], a request for registering an address information [Fig 4B, all elts; Fig 6, elts 605, 610, 615, 630 → "Yes"] of the first communication device (col 9, lines 42-47; col 12, lines 27-40; col 12, lines 51-59), and

the storing unit stores the address information (col 2, lines 41-43; col 7, lines 36-37) and the public key certificate with a validity period of the address information being set to be identical to that of the public key certificate (col 1, lines 59-63; col 10, lines 38-41; col 13, lines 14-18).

However, the combination of Riggins and Corella does not expressly disclose a request for registering a public key certificate of the first communication device and the issuing-and-validating unit validates the public key certificate,.

Heiden teaches a request for registering a public key certificate of the first communication device (§19, lines 31-39; §24) and the issuing-and-validating unit validates the public key certificate (§22).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the teachings of Riggins and Corella with the teachings of Heiden, for the purpose of periodically updating and validating user credentials; it is known in the art to maintain updated credentials to prevent network abuse and forgery.

Conclusion

Examiner's Note: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses to fully

consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the text of the passage taught by the prior art or disclosed by the examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DARREN SCHWARTZ whose telephone number is (571)270-3850. The examiner can normally be reached on 7am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571)272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/D. S./
Examiner, Art Unit 2435
/Kimyen Vu/
Supervisory Patent Examiner, Art Unit 2435